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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:
Mosier et al.

Group Art Unit: 1751

Serial No.: 09/921,238

Examiner: K. Vijayakumar

Filed: August 2, 2001

Title: **Transesterification Composition of
Fatty Acid Esters, and Uses Thereof**

Docket No.: 0468FV.44178

**DECLARATION OF DR. FRED MASSEY REGARDING SUCCESS IN SUPPORT OF
RESPONSE TO OFFICE ACTION**

I, Dr. Fred Massey, state the following, of which I have personal knowledge:

1. I am the President of MJ Research and Development ("MJ Research") and I maintain an office at 5607 Candlewood, Houston, Texas. I have been with MJ Research since 2001 and I have held this position during this time. I am familiar with the disclosure in the above-identified patent application.
2. I am familiar with the marketing efforts of MJ Research in connection with the composition that is the subject of the above identified patent application and I am knowledgeable about the market of automotive lubricants and heat exchanger fluids.
3. I am not a named inventor of the subject application.
4. There has been a long recognized need in the industry for a lubricant that does not fail at high pressures as prior art lubricants frequently fail at high pressures.
5. To address the problem of failure at high pressure, the industry has historically and continues today to attempt to use halogenated or sulfonated compounds to obtain better extreme pressure benefits, but use of these compounds often exhibits severe corrosive reactions within mechanical systems. This shortcoming of the prior art is overcome in the current invention.

6. The composition of the current invention ("Composition") addresses both the failure of prior art lubricants at high pressures and the corrosive reaction issue. The industry has recognized that the Composition successfully overcomes these long-felt needs.

7. The product sales have increased more than 100 fold in the last two years.

8. MJ Research has experienced significant success in the very short time in which sales have been made as a result of addressing these long felt needs. MJ Research has recently acquired a five year contract with the world's largest company for remanufacturing components of auto compressors (the "Company"). The Company indicated that they were looking for a lubricity additive for greater longevity to reduce warranty repairs. After substantial and lengthy testing undertaken by the Company and MJ Research in a standard facility against the industry standards, MJ Research's Composition was selected as the sole product for use by the Company. Friction reduction and coefficient of performance were tested with very positive results.

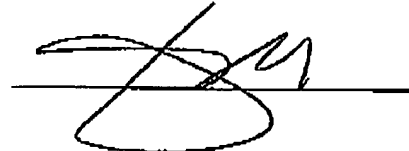
8. In my opinion, the reason why the Composition has vaulted from start-up to a multi-million dollar revenue producing product is a reflection that the industry has a long-felt need that could not be addressed by the myriad of lubricants on the market and that the Composition of the above-identified application is superior and non-obvious.

9. I have authorized testing of the MJ Research invention disclosed in the above-identified patent ("Thermolube composition"). I have authorized the creation of the Sturwold composition as described in the Sturwold patent example. I have authorized a comparison of the Sturwold composition and the Thermolube composition. Falex Pin and Vee Block Test Reports are attached. Run ID 504 demonstrates the test run with the Sturwold composition. Run ID 505 demonstrates the test run with the Thermolube composition. I have conducted investigation to ensure that the test results accurately reflect the tests conducted. The test results show extremely significant differences in the failure load with each composition. Enclosed are the summaries of each test run.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated:

7/11/2006

A handwritten signature in black ink, consisting of a stylized 'F' and 'M' connected together, written over a horizontal line.

Dr. Fred Massey